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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 TROY R. JOHNSON,

12 Defendant.

CR17-215-TSZ

ORDER

13 THIS MATTER having come before the Court on defendant's unopposed motion
14 for a continuance of the trial and the pretrial motions due date, docket no. 16, and the
15 Court having considered the facts set forth in the motion, the speedy trial waiver executed
16 by defendant, and the records and files herein, the Court enters the following order:

17 1. A failure to grant the continuance would deny defense counsel the
18 reasonable time necessary for effective preparation, taking into account the exercise of
19 due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv). In addition, the
20 failure to grant a continuance in the proceeding would be likely to result in a miscarriage
21 of justice, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(i).
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2. The ends of justice will be served by ordering a continuance in this case, as a continuance is necessary to ensure adequate time for the defense to effectively prepare for trial. All of these factors outweigh the best interests of the public and defendant in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7).

For the foregoing reasons, the unopposed motion to continue trial, docket no.16, is GRANTED. The trial date shall be continued from November 13, 2017, to February 26, 2018. Pretrial motions are to be filed no later than January 12, 2018.

IT IS FURTHER ORDERED that the resulting period of delay from the date of this Order until the new trial date is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B).

IT IS SO ORDERED.

Dated this 2nd day of October, 2017.

Thomas S Zeller

Thomas S. Zilly
United States District Judge